

VZCZCXRO0602

PP RUEHAG RUEHDA RUEHDF RUEHFL RUEHIK RUEHKW RUEHLA RUEHLN RUEHLZ  
RUEHROV RUEHSR RUEHVK RUEHYG  
DE RUEHBW #0237/01 0480728  
ZNR UUUUU ZZH  
P 170728Z FEB 06  
FM AMEMBASSY BELGRADE  
TO RUEHC/SECSTATE WASHDC PRIORITY 7974  
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE  
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK

UNCLAS SECTION 01 OF 02 BELGRADE 000237

SIPDIS

SIPDIS

SENSITIVE

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [MW](#) [SR](#)

SUBJECT: MONTENEGRIN INDEPENDENCE REFERENDUM TALKS: EU  
PROPOSES REQUIRED MAJORITY, DATE, QUESTION

SENSITIVE BUT UNCLASSIFIED - PLEASE HANDLE ACCORDINGLY

Ref: Belgrade 0202

11. (SBU) Summary: EU Envoy Ambassador Miroslav Lajcak, after receiving the full support of EU member states and the EU Presidency, has proposed to the pro- and anti-independence camps specific criteria for the Montenegro referendum. The required majority would be 55 percent of valid votes cast, the date would be 75 days after the referendum is called and no later than May 14, and the sole question: "Do you want the Republic of Montenegro to be an independent state with full international and legal personality?" Lajcak told Consulate February 16 that while both political blocs complained about the proposed standards, "There have been no rejections." Both blocs are expected to seek divisions within the international community (EU and US) over the Lajcak proposal. Barring exploitable divisions, Lajcak expects the Montenegrin Parliament to adopt the law in its entirety by February 28. End summary.

12. (SBU) On February 14, EU Envoy Lajcak told the EU's Political and Security Committee (PSC) that, as predicted, political talks between the two Montenegrin blocs on key independence referendum issues had deadlocked. All technical issues -- observation, campaigning, administration, financing and media -- had been agreed by both blocs by February 10, and embodied in a special law on the referendum. Lajcak requested, and received, the full and unanimous support of all 25 EU member states for a formula to address the key issues: referendum question, date of the referendum, and the majority requirement. In evidence of that support, the EU Presidency released a press statement "fully support[ing] the efforts and initiatives of Ambassador Lajcak." (Release 6367/06, P28/06).

The Question

13. (SBU) The EU proposed one unambiguous question: "'Do you want the Republic of Montenegro to be an independent state with full international and legal personality?" Of the key issues, this gained assent from the blocs most easily.

The Date

14. (SBU) Splitting the difference between the pro-Independence and pro-Union blocs, the EU proposed a 75 day campaign, and moving the date of the referendum, along with local elections in 14 of 21 municipalities, to Sunday May

¶14. Lajcak told Consulate that while the blocs cited "technical difficulties" in holding simultaneous votes, he observed that it is a common European practice, and at its most basic requires nothing more than two ballots. Alternatively, both blocs could agree to delay the local elections. As Lajcak noted, both blocs have to move off of positions in which they have now staked their prestige, which will not be easy, but he expects that it will be accepted.

#### The Majority

¶15. (SBU) The most difficult issue is the majority required for independence to be approved. The EU proposed requiring 55 percent of valid votes cast, provided that a majority of registered voters have voted. Lajcak told the EU PSC that "the formula provides for a really open-ended competition and motivates the opposition to participate, since the higher the turn-out, the bigger the chances for the opposition." Not surprisingly, both blocs strongly objected. The pro-Independence bloc told Lajcak the standard was unprecedented in Europe -- and is privately worried that getting 55 percent would be difficult. The pro-Union bloc objected that their demand that 50 percent of all registered voters support independence for a valid decision had been ignored, and quibbled about counting only valid votes to determine if the margin had been met (again wanting invalid ballots to essentially count against independence). Lajcak told Consulate he held firm, rejecting both blocs' complaints, and reminding them that as they wanted the EU involved, they should consider carefully the cost in rejecting the unified EU position.

#### Adopting the Law

BELGRADE 00000237 002 OF 002

¶16. (SBU) As agreed with Lajcak, President Vujanovic is to call (pro-independence) Speaker of Parliament Krivokapic and (pro-Union) opposition leader Predrag Bulatovic, to call for Parliament to meet and discuss the draft special law on the referendum. The session would start early in the week of February 20, and (as fixed in the law itself) end no later than February 28. Lajcak told Consulate that the law is an entire, indivisible package, and that both blocs understand the expectation of the EU that the parliament will take a simple "up or down" vote on the entire law.

#### Looking for Wiggle Room

¶17. (SBU) Lajcak noted to Consulate that both blocs are already canvassing the EU, looking for Member States to break ranks and support a lower (pro-Independence) or higher (pro-Union) stance. Lajcak noted, however, that Spain has already rebuffed GoM FM Vlahovic, and that the Hungarian and Slovenian FMs, considered to be the most pro-independence of the EU Ministers, had both spoken clearly in favor of Lajcak's formula on the 14th in the EU PSC. Both blocs also broached with Lajcak suggestions that the USG would break with the EU. Lajcak replied to the blocs with the precise elaboration that, "The U.S. supports the EU, the EU supports the formula." Lajcak said that he expects adoption of the law once both blocs conclude that the EU is unified on the formula, and that the USG cannot be swayed to another position.

#### Serbia

¶18. (SBU) Lajcak said Bulatovic told him that the pro-Union opposition was not "taking instructions from Belgrade," and Lajcak told Consulate Bulatovic's assertion is credible. Lajcak added that the comments of Kostunica's advisor

Simic, that Serbia would only recognize independence if 50 percent of all Montenegro's registered voters supported such, were deeply unhelpful but expected. Lajcak told Consulate that he expects the special law to be adopted by the end of the month, without Belgrade able to exert effective influence on Bulatovic, which will mute Serbian objections.

MOORE